

2152 #3

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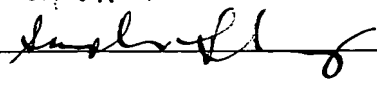
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Group 2100

CERTIFICATE OF MAILING

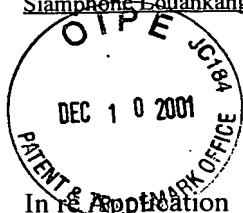
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on 11/19/01

Siamphong Louankang



PATENT

Attorney Docket No. 24717-707



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventor(s): Michael Lloyd et al.

Art Unit: 2152

Application No.: 09/903,423

Examiner: Not Yet Assigned

Filed: July 10, 2001

Title Systems And Method For Robust, Real-Time
Measurement of Network Performance

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)

-- OR --

☐ (2) It is being filed within 3 months of entry of a national stage

-- OR --

☒ (3) It is being filed before the mail date of the first Office Action on the merits

-- OR --

☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; or

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 24717-707).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 11/14/01

By: Kenta Suzie
Kenta Suzie, Reg. No. 45,145

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Customer No. 021971

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 24717-707		SERIAL NO. 09/903,423		RECEIVED DEC 11 2001	
		APPLICANT Lloyd, M. et al.					
		FILING DATE 07/10/01		GROUP 2152		Group 2100	

U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,284,852	08/18/1981	Szybicki et al.	179	18 EA	
	4,345,116	08/17/1982	Ash et al.	179	18 EA	
	4,495,570	01/22/1985	Kitajima et al.	364	200	
	4,594,704	06/10/1986	Ollivier	370	16	
	4,669,113	05/26/1987	Ash et al.	379	221	
	4,704,724	11/03/1987	Krishnan et al.	379	221	
	4,726,017	02/16/1988	Krum et al.	370	85	
	4,748,658	05/31/1988	Gopal et al.	379	221	
	4,788,721	11/29/1988	Krishnan et al.	379	221	
	4,839,798	06/13/1989	Eguchi et al.	364	200	
	4,920,432	04/24/1990	Eggers et al.	360	33.1	
	4,931,941	06/05/1990	Krishnan	364	437	

FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	0 598 969 B1	02/10/1999	Europe	H04L	12/18	<input type="checkbox"/>	<input type="checkbox"/>
	0 977 456 A2	02/02/2000	Europe	H04Q	11/04	<input type="checkbox"/>	<input type="checkbox"/>
	0 982 901 A1	03/01/2000	Europe	H04L	12/56	<input type="checkbox"/>	<input type="checkbox"/>
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	94/08415	04/14/1994	PCT	H04L	12/66	<input type="checkbox"/>	<input type="checkbox"/>
	99/06913	02/11/1999	PCT	G06F	13/00	<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

EXAMINER	DATE CONSIDERED
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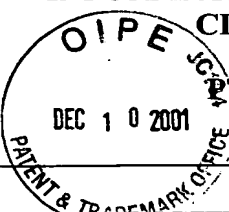
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,939,726	07/03/1990	Flammer et al.	370	94.1		
	4,949,187	08/14/1990	Cohen	358	335		
	4,949,248	08/14/1990	Caro	364	200		
	5,172,413	12/15/1992	Bradley et al.	380	20		
	5,253,341	10/12/1993	Rozmanith et al.	395	200		
	5,287,537	02/15/1994	Newmark et al.	395	800		
	5,291,554	03/01/1994	Morales	380	5		
	5,341,477	08/23/1994	Pitkin et al.	395	200		
	5,406,502	04/11/1995	Haramaty et al.	364	551.01		
	5,414,455	05/09/1995	Hooper et al.	348	7		
	5,442,389	08/15/1995	Blahut et al.	348	7		
	5,442,390	08/15/1995	Hooper et al.	348	7		
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EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	99/14907	03/25/1999	PCT	H04L	12/56	<input type="checkbox"/>	<input type="checkbox"/>
	99/14931	03/25/1999	PCT	H04M, H04L	7/00, 29/06	<input type="checkbox"/>	<input type="checkbox"/>
	99/18751	04/15/1999	PCT	H04Q	11/04	<input type="checkbox"/>	<input type="checkbox"/>
	99/30460	06/17/1999	PCT	H04L	12/00	<input type="checkbox"/>	<input type="checkbox"/>
	99/39481	08/05/1999	PCT	H04L, G06F	12/66, 12/56, 13/00, 13/14	<input type="checkbox"/>	<input type="checkbox"/>
	00/04458	01/27/2000	PCT	G06F	17/21, 3/00, 13/00, 17/30	<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

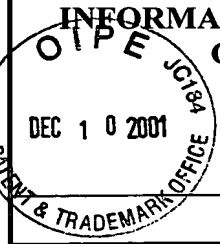
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		APPLICANT Lloyd, M. et al.		FILING DATE 07/10/01			
				GROUP 2152 Group 2100/			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,442,749	08/15/1995	Northcutt et al.	395	200.09		
	5,452,294	09/19/1995	Natarajan	370	54		
	5,471,622	11/28/1995	Eadline	395	650		
	5,475,615	12/12/1995	Lin	364	514		
	5,477,536	12/19/1995	Picard	370	54		
	5,508,732	04/16/1996	Bottomley et al.	348	7		
	5,515,511	05/07/1996	Nguyen et al.	395	200.2		
	5,519,435	05/21/1996	Anderson	348	8		
	5,521,591	05/28/1996	Arora et al.	340	826		
	5,528,281	06/18/1996	Grady et al.	348	7		
	5,371,532	12/06/1994	Gelman et al.	348	7		
	5,410,343	04/25/1995	Coddington et al.	348	7		
FOREIGN PATENT DOCUMENTS							
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	00/45560	08/03/2000	PCT	H047	29/00	<input type="checkbox"/>	<input type="checkbox"/>
	00/52906	09/08/2000	PCT	H04L	29/06	<input type="checkbox"/>	<input type="checkbox"/>
	00/62489	10/19/2000	PCT	H04L, H04Q	12/56,12/4 6,12/66,11/ 04	<input type="checkbox"/>	<input type="checkbox"/>
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	00/79730	12/28/2000	PCT	H04L	12/00	<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

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INFORMATION DISCLOSURE CITATION 			ATTY. DOCKET NO. 24717-707		SERIAL NO. 09/903,423		RECEIVED DEC 11 2001 Group 2100			
			APPLICANT Lloyd, M. et al.							
			FILING DATE 07/10/01		GROUP 2152					
U.S. PATENT DOCUMENTS										
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE				
	5,629,930	05/13/1997	Beshai et al.	370	396					
	5,631,897	05/20/1997	Pacheco et al.	370	237					
	5,636,216	06/03/1997	Fox et al.	370	402					
	5,675,741	10/07/1997	Aggarwal et al.	395	200.12					
	5,754,547	05/19/1998	Nakazawa	370	401					
	5,805,594	09/08/1998	Kotchey et al.	370	401					
	5,835,710	11/10/1998	Nagami et al.	395	200.8					
	5,845,091	12/01/1998	Dunne et al.	395	200.7					
	6,108,703	08/22/2000	Leighton et al.	709	226					
	6,006,264	12/21/1999	Colby et al.	709	226					
	6,069,889	05/30/2000	Feldman et al.	370	351					
	6,173,324	01/09/2001	D'Souza	709	224					
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	01/13585	02/22/2001	PCT	H04L	12/46	<input type="checkbox"/>	<input type="checkbox"/>			
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U.S. PATENT DOCUMENTS							
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	5,142,570	08/25/1992	Chaudhary et al.	379	221		
	6,009,081	12/28/1999	Wheeler et al.	370	255		
	6,130,890	10/10/2000	Leinwand et al.	370	400		
	6,167,052	12/26/2000	McNeil et al.	370	399		
	6,185,598	02/06/2001	Farber et al.	709	200		
FOREIGN PATENT DOCUMENTS							
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